

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. During a review of her Food Stamp eligibility in April, the petitioner reported that her housing costs (room rent, including utilities) were \$200 a month and that her gross income from working was \$668 a month. The increase in the petitioner's income resulted in a reduction in her Food Stamps from \$152 to \$27 per month effective May 1, 2006.

3. At a hearing in this matter held on May 24, 2006 the petitioner did not disagree with any of the Department's determinations regarding her present income and expenses.

ORDER

The Department's decision is affirmed.

REASONS

The Food Stamp regulations include all gross wages from employment as countable earned income. Food Stamp Manual (F.S.M.) § 273.9(b). Deductions from income are limited to those specifically itemized in the regulations. Food Stamp Manual (F.S.M.) § 273.9(d). All households under five persons receive a "standard deduction" of \$134, and those with earned income can deduct 20 percent of that income.

Households are also entitled to a "shelter deduction" in the amount by which their total shelter costs exceed one half of their net income. In the petitioner's case, her housing costs total \$200 a month. Her net income, after the 20 percent earned income deduction and the standard deduction (\$668 minus \$133.60, minus 134) is \$400.40--half of which is \$200.20. Her shelter costs (\$200) do not exceed half her net income, resulting in no allowable shelter deduction. This results in countable Food Stamp income of \$400.40. The

amount of Food Stamps payable to households with this income is \$27 a month. See P-2590D.

Inasmuch as the petitioner does not dispute that the Department's decision in this matter accurately reflected her income and expenses as of April 2006, and cannot show that the amount of her Food Stamps was not determined in accord with the applicable regulations, the Board is bound by law to affirm the Department's decision. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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